



CITY COUNCIL MINUTES

Richfield, Minnesota

Special City Council Worksession

September 9, 2014

CALL TO ORDER

The meeting was called to order by Mayor Goettel at 6:41 p.m. in the Council Chambers.

Council Members Present: Debbie Goettel, Mayor; Sue Sandahl, Edwina Garcia; Pat Elliott; and Tom Fitzhenry.

Staff Present: Mike Eastling, Acting City Manager; Kristin Asher, Assistant Public Works Director; Robert Hintgen, Utilities Superintendent; and Cheryl Krumholz, Executive Coordinator.

Item # 1

DISCUSSION RELATED TO THE METROPOLITAN COUNCIL'S CURRENT EFFORTS TO UPDATE THE METROPOLITAN AREA MASTER WATER SUPPLY PLAN (COUNCIL MEMO NO. 85)

Acting City Manager Eastling explained the updating of the Metropolitan Area Master Water Supply Plan, including the plan's recommendation that cities, like Richfield, move to either a dual supply source which includes surface water and groundwater or to a solely surface water supply plan.

Staff members from the Metropolitan Council and Department of Natural Resources will be attending the September 23, 2014 City Council Worksession to discuss the new water supply plan.

ADJOURNMENT

The meeting was adjourned by unanimous consent at 6:50 p.m.

Date Approved: September 23, 2014

Debbie Goettel
Mayor

Cheryl Krumholz
Executive Coordinator

Mike Eastling
Acting City Manager



CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

Regular Meeting

September 9, 2014

CALL TO ORDER

The meeting was called to order by Mayor Goettel at 7:00 p.m.

Members Present: Debbie Goettel, Mayor; Sue Sandahl; Pat Elliott; Edwina Garcia; and Tom Fitzhenry.

Staff Present: Steven L. Devich, City Manager; John Stark, Community Development Director; Mike Eastling, Public Works Director; Jim Topitzhofer, Recreation Services Director; Wayne Kewitsch, Fire Services Director; Chris Regis, Finance Manager; Karen Barton, Assistant Community Development Director; Melissa Poehlman, City Planner; Bob Vose, City Attorney; and Cheryl Krumholz, Executive Coordinator.

OPEN FORUM

Susan Rosenberg, 6633 Thomas Avenue, spoke about Garden Club activities.

PLEDGE OF ALLEGIANCE

Mayor Goettel led the audience in the Pledge of Allegiance.

APPROVAL OF MINUTES

M/Garcia, S/Fitzhenry to approve the minutes of the (1) Special City Council Worksession of August 26, 2014; and (2) Regular City Council Meeting of August 26, 2014.

Motion carried 5-0.

Item #1	PRESENTATION OF THE 2014 RICHFIELD IN BLOOM AWARD WINNERS (COUNCIL MEMO NO. 86)
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Mayor Goettel and Assistant Community Development Director Barton presented the awards.

Item #2	PRESENTATION FROM FRED BABCOCK VFW POST 5555 (COUNCIL MEMO NO. 88)
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Len Gudmunson, former Commander, presented an overview of the VFW's programs, including several scholarship programs.

Item #3	PRESENTATION REGARDING OPEN STREETS AT PENN FEST (COUNCIL MEMO NO. 87)
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Recreation Services Director Topitzhofer presented an overview of the upcoming event.

The Minnesota Magicians spoke about their continuing community involvement.

Item #4	COUNCIL DISCUSSION <ul style="list-style-type: none">• Hats Off to Hometown Hits
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Council Member Fitzhenry acknowledged a recent tree removal process.

Council Member Garcia acknowledged the efforts of the City Manager and City staff on the budget preparation and presentation.

Item #5	COUNCIL APPROVAL OF AGENDA
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M/Sandahl, S/Fitzhenry to approve the agenda.

Motion carried 5-0.

Item #6	CONSENT CALENDAR
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- A. Consideration of the approval of the resolutions pertaining to the annual Lyndale/HUB/Nicollet (LHN) maintenance assessment process and scheduling a public hearing for October 14, 2014 S.R. No. 146

RESOLUTION NO. 10955

RESOLUTION DECLARING COST TO BE ASSESSED AND ORDERING PREPARATION OF PROPOSED ASSESSMENT FOR LYNDALDE/HUB/NICOLLET (LHN) MAINTENANCE FOR THE PERIOD JANUARY 1, 2013 THROUGH DECEMBER 31, 2013

This resolution appears as Resolution No. 10955.

RESOLUTION NO. 10956

RESOLUTION PROPOSING TO SPECIALLY ASSESS FOR THE COSTS OF CURRENT SERVICES PROVIDED WITHIN THE LYNDALDE/HUB/NICOLLET (LHN) PROJECT AREA FOR THE PERIOD JANUARY 1, 2015 THROUGH DECEMBER 31, 2015

This resolution appears as Resolution No. 10956.

- B. Consideration of the approval of the resolutions pertaining to the annual 77th Street maintenance district assessment process and scheduling a public hearing for October 14, 2014 S.R. No. 147

RESOLUTION NO. 10957

RESOLUTION DECLARING COST TO BE ASSESSED AND ORDERING PREPARATION
OF PROPOSED ASSESSMENT FOR 77TH STREET MAINTENANCE
FOR THE PERIOD JANUARY 1, 2013 THROUGH DECEMBER 31, 2013

This resolution appears as Resolution No. 10957.

RESOLUTION NO. 10958

RESOLUTION PROPOSING TO SPECIALLY ASSESS FOR THE COSTS OF CURRENT
SERVICES PROVIDED WITHIN THE 77TH STREET PROJECT AREA FOR THE PERIOD
JANUARY 1, 2015 THROUGH DECEMBER 31, 2015

This resolution appears as Resolution No. 10958.

- C. Consideration of the approval of the resolution declaring the costs to be assessed for the removal of diseased trees from private property for work ordered in 2013 and scheduling a public hearing for October 14, 2014 S.R. No. 148

RESOLUTION NO. 10959

RESOLUTION DECLARING COSTS TO BE ASSESSED AND ORDERING PREPARATION
OF PROPOSED ASSESSMENT FOR REMOVAL OF DISEASED TREES FROM PRIVATE
PROPERTY FOR THE PERIOD OF JANUARY 1, 2013 TO DECEMBER 31, 2013

This resolution appears as Resolution No. 10959.

- D. Consideration of the approval of a resolution declaring costs to be assessed and ordering the preparation of the proposed assessment roll for weed elimination from private property and removal or elimination of public health or safety hazards from private property and setting the public hearing for October 14, 2014 S.R. No. 149

RESOLUTION NO. 10960

RESOLUTION DECLARING COSTS TO BE ASSESSED AND ORDERING PREPARATION
OF PROPOSED ASSESSMENT FOR WEED ELIMINATION FROM PRIVATE PROPERTY
AND REMOVAL OR ELIMINATION OF PUBLIC HEALTH OR SAFETY HAZARDS FROM
PRIVATE PROPERTY

This resolution appears as Resolution No. 10960.

- E. Consideration of the approval of a resolution declaring costs to be assessed and ordering preparation of the proposed assessment roll for unpaid false alarm user fees against private property and setting the public hearing for October 14, 2014 S.R. No. 150

RESOLUTION NO. 10961

RESOLUTION DECLARING COSTS TO BE ASSESSED AND ORDERING PREPARATION
OF PROPOSED ASSESSMENT FOR
UNPAID FALSE ALARM FEES FROM PRIVATE PROPERTY

This resolution appears as Resolution No. 10961.

- F. Consideration of the approval of the purchase of a Fire Pumper Chassis for \$181,681 in 2014 and a Fire Pumper Body for \$244,613 in 2015, totaling \$426,294, from Roesenbauer Firefighting Technology S.R. No. 151
- G. Consideration of the approval of a 5-year lease agreement with the Minnesota Department of Health for air monitoring equipment located at the Richfield Water Treatment Facility S.R. No. 152

M/Goettel, S/Fitzhenry to approve the Consent Calendar.

Motion carried 5-0.

Item #7	CONSIDERATION OF ITEMS, IF ANY, REMOVED FROM THE CONSENT CALENDAR
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None.

Item #8	PUBLIC HEARING TO CONSIDER A RESOLUTION AUTHORIZING THE REPROGRAMMING OF FUNDS FOR THE 2013 AND 2014 URBAN HENNEPIN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FROM THE PENN AVENUE FAÇADE PROGRAM TO THE PENN AVENUE STREETScape IMPROVEMENTS S.R. NO. 153
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Council Member Sandahl presented Staff Report No. 153.

Assistant Community Development Director Barton explained the change was due to federal regulations in administering the program.

M/Fitzhenry, S/Sandahl to close the public hearing.

Motion carried 5-0.

M/Sandahl, S/Goettel that the following resolution be adopted and that it be made part of these minutes:

RESOLUTION NO. 10962

RESOLUTION REPROGRAMMING 2013 AND 2014 URBAN HENNEPIN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FUNDS AND AUTHORIZING EXECUTION OF SUBRECIPIENT AGREEMENT WITH HENNEPIN COUNTY AND ANY REQUIRED THIRD PARTY AGREEMENTS

Motion carried 5-0. This resolution appears as Resolution No. 10962.

Item #9	CONSIDERATION OF THE SECOND READING OF AN ORDINANCE AMENDING SUBSECTION 547.05, SUBDIVISION 4, AND SUBSECTION 547.11 RELATED TO THE CONSIDERATION OF VARIANCE APPLICATIONS AND A RESOLUTION AUTHORIZING SUMMARY PUBLICATION OF THE ORDINANCE S.R. NO. 154
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Council Member Fitzhenry presented Staff Report No. 154.

M/Fitzhenry, S/Goettel that this constitutes the second reading of Bill No. 2014-5, amending Subsection 547.05, Subdivision 4 and Subsection 547.11 related to the consideration of variance

applications, that it be published in the official newspaper and that it be made part of these minutes, and that the following resolution be adopted and that it be made part of these minutes:

RESOLUTION NO. 10968

RESOLUTION APPROVING SUMMARY PUBLICATION OF AN ORDINANCE
AMENDING APPENDIX B (ZONING) OF THE RICHFIELD CITY CODE

Motion carried 5-0. This resolution appears as Resolution No. 10968.

Item #10	CONSIDERATION OF A RESOLUTION GRANTING A CONDITIONAL USE PERMIT AND VARIANCES FOR A 22.6-FOOT FRONT BUILDING SETBACK AND A 6-STALL PARKING REQUIREMENT REDUCTION IN ORDER TO ALLOW A BUILDING ADDITION AT 6736 PENN AVENUE S.R. NO. 155
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Council Member Garcia presented Staff Report No. 155.

Council Member Garcia stated that normally she would not support this resolution but Penn Avenue is unique with business constraints. The proposed addition does not include an increase in seating capacity. She questioned if City staff has encouraged the applicant to seek employee parking in another area to allow customer parking.

City Planner Poehlman responded that the applicant was provided with additional contacts in the area but is not aware if those contacts have been made.

M/Garcia, S/Elliott that the following resolution be adopted and that it be made part of these minutes:

RESOLUTION NO. 10963

RESOLUTION GRANTING APPROVAL OF A CONDITIONAL USE PERMIT
AND SETBACK AND PARKING VARIANCES FOR A BUILDING ADDITION AT
6736 PENN AVENUE

Motion carried 5-0. This resolution appears as Resolution No. 10963.

Item #11	CONSIDERATION OF A PROCESS TO AMEND THE ZONING ORDINANCE PERTAINING TO THE REGULATION OF ODOR EMISSIONS S.R. NO. 156
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Council Member Elliott presented Staff Report No. 156.

M/ Elliott, S/Goettel to approve a process to amend the Zoning Ordinance pertaining to the regulation of odor emissions.

Council Member Elliott stated he appreciated the work City staff has done on this issue.

Council Member Garcia stated she did not support a change in the process because it is a fairness issue since other businesses work well with staff and acknowledge the City's ordinances. She discussed working with Congressman Ellison to establish Penn Avenue as an Enterprise Zone as an investment if the development potential.

Council Member Fitzhenry expressed support for a change in the process because there should be flexibility.

Mayor Goettel stated concern about the fairness to businesses and that she did not support the proposed language in Part B as it is written.

Council Member Sandahl questioned how the language as proposed would apply to the Fireside odor control issue.

Community Development Director Stark explained the existing language is open to interpretation. He stated that since the Fireside addition is new, it could be built to accommodate odor control if there were complaints.

Council Member Elliott stated that staff has two weeks to prepare the process with the proposed language.

Council Member Sandahl said she supported a change in the process because the proposed language would hopefully improve the interpretation.

Community Development Director Stark explained the review process to amend the Zoning Ordinance.

Motion carried 3-2. (Goettel and Garcia oppose).

Item #12	CONSIDERATION OF A RESOLUTION GRANTING AN APPEAL OF ODOR CONTROL REQUIREMENTS FOR 6736 PENN AVENUE S.R. NO. 157
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Council Member Elliott presented Staff Report No. 157.

M/Elliott, S/Fitzhenry that the following resolution be adopted and that it be made part of these minutes:

RESOLUTION NO. 10964

RESOLUTION APPROVING AN APPEAL OF ODOR CONTROL REQUIREMENTS
FOR 6736 PENN AVENUE

Mayor Goettel stated she would support the resolution if No. 2 is removed.

Community Development Director Stark clarified the odor control remedy options.

A commercial air design representative stated the Fireside menu is not being changed to create an odor issue and there are no existing complaints.

Council Member Elliott asked the commercial air design representative if the Fireside building can be designed to accommodate the installation of odor control equipment if complaints are received.

The commercial air design representative answered yes, that could be done.

Mayor Goettel made a friendly amendment to the original motion to remove No. 2 from the resolution.

Council Member Elliott accepted the amendment.

M/Goettel, S/Elliott to amend the resolution by removing No. 2.

Original motion carried 5-0.

Motion on friendly amendment carried 5-0. This resolution appears as Resolution No. 10964.

Item #13	CONSIDERATION OF A RENTAL AGREEMENT BETWEEN THE CITY OF RICHFIELD AND THE MINNESOTA MAGICIANS FOR THE USE OF THE NEWLY CONSTRUCTED ICE ARENA LOCKER ROOM S.R. NO. 158
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Council Member Garcia presented Staff Report No. 158.

M/Garcia, S/Goettel to approve the rental agreement between the City of Richfield and the Minnesota Magicians for the use of the newly constructed Ice Arena locker room.

Motion carried 5-0.

Item #14	CONSIDERATION OF THE 2014 REVISED/2015 PROPOSED BUDGET RESOLUTIONS ADOPTING THE 2015 PRELIMINARY PROPERTY TAX LEVY, SETTING THE TRUTH IN TAXATION HEARING DATE, AUTHORIZING BUDGET REVISIONS, AND AUTHORIZING REVISION OF THE 2014 BUDGET OF VARIOUS DEPARTMENTS S.R. NO. 159
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Mayor Goettel presented Staff Report No. 159.

Mayor Goettel stated the preliminary gross tax levy is a 1.53% increase and the Truth-in-Taxation hearing is scheduled on December 2, 2014 at 6 p.m.

M/Goettel, S/Sandahl that the following resolution be adopted and that it be made part of these minutes:

RESOLUTION NO. 10965

RESOLUTION ADOPTING A PROPOSED BUDGET AND TAX LEVY
FOR THE YEAR 2015

RESOLUTION NO. 10966

RESOLUTION AUTHORIZING BUDGET REVISIONS

RESOLUTION NO. 10967

RESOLUTION AUTHORIZING REVISION OF 2014 BUDGET OF VARIOUS
DEPARTMENTS

Motion carried 5-0. These resolutions appear as Resolution Nos. 10965-10967.

Item #15	CITY MANAGER'S REPORT
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None.

Item #16	CLAIMS AND PAYROLLS
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M/Fitzhenry, S/Elliott that the following claims and payrolls be approved:

U.S. Bank		09/09/14
A/P Checks: 234026-234391	\$	1,234,161.30
Payroll: 103990-104362; 42182-42239	\$	609,320.00
TOTAL	\$	1,843,481.30

Motion carried 5-0.

OPEN FORUM

None.

ADJOURNMENT

The City Council meeting was adjourned by unanimous consent at 8:35 p.m.

Date Approved: September 23, 2014

Debbie Goettel
Mayor

Cheryl Krumholz
Executive Coordinator

Steven L. Devich
City Manager



CITY COUNCIL MINUTES

Richfield, Minnesota

Special City Council Worksession

September 9, 2014

CALL TO ORDER

The meeting was called to order by Mayor Goettel at 8:43 p.m. in the Council Chambers.

Council Members Present: Debbie Goettel, Mayor; Sue Sandahl, Edwina Garcia; Pat Elliott; and Tom Fitzhenry.

Staff Present: Steven L. Devich, City Manager; Mike Eastling, Public Works Director; Jeff Pearson, Transportation Engineer; and Cheryl Krumholz, Executive Coordinator.

Item # 1	DISCUSSION REGARDING THE MINIMAL IMPACT ALTERNATIVE FOR CONSIDERATION ON 66TH STREET BETWEEN I-35W AND PENN AVENUE (COUNCIL MEMO NO. 85)
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Transportation Engineer Pearson and Maury Hooper, Hennepin County Transportation Engineer, presented information regarding the Minimal Impact Alternative, including crash analysis and property impacts. Also discussed were the right-of-way impacts based on the preferred concept east of I-35W.

There is a 66th Street Reconstruction Open House on September 25 at the Richfield Community Center.

ADJOURNMENT

The meeting was adjourned by unanimous consent at 9:36 p.m.

Date Approved: September 23, 2014

Debbie Goettel
Mayor

Cheryl Krumholz
Executive Coordinator

Steven L. Devich
City Manager